

# Exhibit A

**From:** [Ashley Bolt](#)  
**To:** [rak\\_headwater@raklaw.com](mailto:rak_headwater@raklaw.com); [Andrea Fair](#)  
**Cc:** [\[SERVICE FR\] Samsung-Headwater](#); [melissa@gillamsmithlaw.com](mailto:melissa@gillamsmithlaw.com)  
**Subject:** Headwater v. Samsung, 2:23-cv-641: "811 patent"  
**Date:** Tuesday, April 29, 2025 5:27:19 PM

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Counsel,

As acknowledged in the parties' briefing on Samsung's motion to stay, the PTAB's institution decision for the '811 patent IPR found a "reasonable likelihood of success ... that the only remaining claim in the '811 patent, namely dependent claim 4, is unpatentable." Headwater elected to not file a Patent Owner's Response, forfeiting any arguments Headwater may have wanted to make to preserve the '811 patent's validity. As such, Headwater has no reasonable basis to believe that claim 4 (i.e., the only '811 patent claim Headwater asserts in this case) is valid.

For that reason, Headwater should immediately drop its allegations under the '811 patent. As Headwater is aware, fact depositions and deadlines for expert reports are upcoming, and substantial expenses will be required to address each patent/claim that remains in the case. Given that Headwater has already effectively abandoned the sole asserted '811 patent claim by declining to defend its validity at the PTAB, Headwater's decision to carry that claim any further in this litigation would be solely for purposes of driving up Samsung's litigation expenses. Such behavior would be exceptional and deserving of fees reimbursement for all expenses incurred beyond the writing of this email.

Please confirm by no later than May 1 that Headwater is dropping the '811 patent from this case. Otherwise, please provide your availability to meet and confer on this issue this week, so we may promptly raise it with the Court.

Best regards,  
Ashley

**Ashley A Bolt** *(she/her)*  
Principal ■ Fish & Richardson P.C.

T: 404 879 7229 M: 256 335 9252 [bolt@fr.com](mailto:bolt@fr.com)  
1180 Peachtree Street NE, 21st Floor, Atlanta, GA 30309